

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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HOME GAMBLING NETWORK, INC., *et al.*,

Plaintiffs,

vs.

CHRIS PICHE, *et al.*,

Defendants.

2:05-cv-00610-DAE-VCF

**ORDER**

**(Re: Evidentiary Hearing)**

Before the Court is the matter of *Home Gambling Network, Inc. et al. v. Chris Piche, et al.* (Case No. 2:05-cv-00610-DAE-VCF). In light of the parties' Joint Request for Telephonic Conference With Court (#299), a telephonic hearing was held on October 23, 2012, at 10:00 a.m., in Courtroom 3C. (#301).

**Parties' Request (#299)**

At the telephonic conference held on October 19, 2012, at 9:45 a.m., the court ordered the parties to meet and confer with their experts to determine a time when the evidentiary hearing could be re-scheduled for. (#300). In the parties' joint request for a telephonic conference, the parties stated that "[c]ounsel have conferred with their experts, and each other, and discovered some concerns that must be addressed with the [c]ourt." (#299). The court held a hearing on October 23, 2012, at 10:00 a.m. (#301).

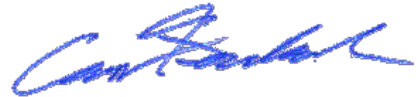
Upon considering arguments from counsel made during the hearing, and for good cause shown,

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2 IT IS HEREBY ORDERED that plaintiffs may make one copy of the database at issue. The  
3 copy must be maintained in accordance with the Protective Order for CWC Defendants' database.  
4 (#233).

5 IT IS FURTHER ORDERED that an Evidentiary Hearing is scheduled for December 11, 2012,  
6 at 10:00 a.m, in Courtroom 3B.

7 IT IS FURTHER ORDERED that, pursuant to Judge Ezra's order (#276), the scope of the  
8 Evidentiary Hearing is limited to whether the database is corrupt, or "merely offline," and the categories  
9 of evidence for the Evidentiary Hearing are limited as follows: (1) the evidence that was before  
10 Magistrate Judge Leavitt when he ruled on the motion for terminating sanctions; (2) the additional  
11 evidence submitted in support of and in opposition to defendants' objections to the magistrate's R&R;  
12 and (3) the evidence proffered at the March 23, 2012, hearing on defendants' objections.  
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14 DATED this 23rd day of October, 2012.



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16 CAM FERENBACH  
17 UNITED STATES MAGISTRATE JUDGE  
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